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California Integrated Waste Management Board

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Arnold Schwarzenegger
Governor

July 21, 2005

Scott Canonico
Manager, Public Policy
Hewlett-Packard Company
1000 NE Circle Blvd.
Corvallis, OR 97330

Dear Mr. Canonico:

Thank you for your response to our letter dated May 23, 2005, regarding an effort by the California Integrated Waste Management Board (CIWMB) and the Department of General Services (DGS) to establish an environmentally preferable product (EPP) standard for printer and duplication cartridges. Your comments and suggestions were informative and helpful. In your letter dated June 27, 2005, you offered a number of suggestions and posed several questions. In an effort to continue our dialogue, I have the following responses.

I. The Scope of the EPP Standard

We propose that the scope of the standard should include those products that California state or local agencies purchase on contract. Currently, these products include printer and duplication cartridges, such as toner and inkjet cartridges. These cartridges consist of both black and colored cartridges. Since the focus of this standard is on the cartridge's container and not on the cartridge's content, and the containers within each duplication and printer category, i.e., toner and inkjet appear similar, therefore, we feel that the scope of the standard should contain both black and colored cartridges for toner and inkjet printers.

II. Definition of EPP

We agree that the EPP Task Force should use the definition of EPP contained in the California Public Contract Code (PCC), Section 12400 as a guiding principle in developing the EPP printer cartridge standard. PCC Section 12400 defines EPP in the following manner:

Environmentally preferable purchasing "means the procurement or acquisition of goods and services that have a lesser or reduced effect on human health and the environment when compared with competing goods or services that serve the same purpose. This comparison shall take into consideration, to the extent feasible, raw materials acquisition, production, manufacturing, packaging, distribution, reuse, operation, maintenance, disposal, energy efficiency, product performance, durability, safety, the needs of the purchaser, and cost."

California Environmental Protection Agency

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III. Performance Criteria

As stated in our letter to the Interested Parties dated May 23, 2005, "It is extremely important that the standard provide an easy and effective benchmark to readily identify EPP cartridges." We agree that there should be no more than two or three identifiable performance criteria applicable to each benchmark. We anticipate that these performance criteria would be identified during the process of establishing an EPP standard for printer cartridges. To this end we invite suggestions from all interested parties.

IV. Achievement of EPP Goals in a Flexible Manner

The four benchmarks that were offered in our letter to the Interested Parties dated May 23, 2005, serve as a basis for determining an EPP cartridge. We realize that these benchmarks will need further definition and clarification and accept that there should be flexibility in satisfying these benchmarks. To this end we propose that for a printer cartridge to be designated as an EPP cartridge, it must comply with benchmark labeled 1 (tier 1) and one of the other three benchmarks labeled 2, 3 and 4 (tier 2), or a combination thereof, i.e., partial attainment of benchmarks labeled 2, 3, and / or 4 may be combined to satisfy tier 2. However, it is essential that the CIWMB's waste management hierarchy is followed in the process of establishing an EPP printer cartridge standard. For example, under current statute, a "take back and recycling" program that converts waste to energy does not qualify as recycling and therefore, it is difficult for us to consider it as such in this process.

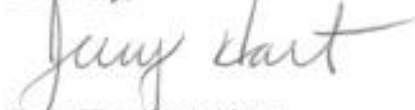
V. Certification System

We anticipate that a certification system, whether self-certification or third party certification will be identified during the process of establishing an EPP standard for printer cartridges. It suffices to say that whichever system that is adopted should be efficient and enforceable for identifying products that meet the EPP standard.

I would like to thank you again for responding to our letter with helpful comments and suggestions. I look forward to continuing our dialogue and working together towards establishing an environmentally preferable standard for printer cartridges.

If you have any questions or comments, please contact Mr. Fareed Ferhut at fferhut@ciwmb.ca.gov or (916) 341-6482.

Sincerely,



Jerry Hart, Supervisor
Buy Recycled Section

Cc: Patty Wohl, CIWMB
Bill Orr, CIWMB
Fareed Ferhut, CIWMB